IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

THURSDAY, THE 22ND NOVEMBER 2007 / 1ST AGRAHAYANA 1929

WP(C).No. 34476 of 2007(D)

PETITIONER:

TAJ RUBBER INDUSTRIES, EDATHALA NORTH,
KIZHAKKAMBALAM, ALUVA.
REP. BY P.P.UVAIS (MANAGING PARTNER).

BY ADV. SRI.T.I.ABDUL SALAM

RESPONDENTS:

---

1. KERALA STATE ELECTRICITY BOARD,
VYDYUTHI BHAVAN, THIRUVANANTHAPURAM
REPRESENTED BY ITS SECRETARY.

2. SPECIAL OFFICER (REVENUE),
KERALA STATE ELECTRICITY BOARD,
VYDYUDHI BHAVAN, THIRUVANANTHAPURAM.

3. THE ASSISTANT ENGINEER, K.S.E.B.
KIZHAKKAMBALAM.

BY SRI.P.P.THAJUDEEN (FOR R1 TO R3)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J.

= =

WP(C).No.34476 of 2007-D

= =

Dated this the 22nd day of November, 2007.

JUDGMENT

1.Heard the learned counsel for the petitioner and the learned standing counsel for the respondents.

2.Having argued the matter for quite some time and noticing that there are no legal sustainable contentions to challenge Exts.P3 and P4, the learned counsel for the petitioner confines his submissions to a request that the petitioner may be permitted to wipe off the amounts covered by Exts.P3 and P4 in instalments and that the supply of energy may be restored in the meanwhile. I have heard the learned standing counsel for the Board also in relation to this issue.

3.In the result, this writ petition is disposed of directing that if the petitioner remits Rs.1 lakh

out of the amounts covered by Exts.P3 and P4 and re-connection charges under the Rules, the supply of energy to the premises will be re-connected. Exts.P3 and P4 shall not be enforced, if the petitioner wipes off the remaining outstandings under Exts.P3 and P4 in five equal monthly instalments payable on or before the last working day of every month, commencing from December, 2007. Such remittance shall include all accruals by way of surcharge etc. If there is default in remitting any of the instalments as aforesaid, the benefits of this judgment shall stand recalled automatically and the respondents will be at liberty to proceed with the matter, without further notice to the petitioner.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/